

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 30, 2021

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL LEE VANTIGER,

Defendant.

No. 4:20-CR-06010-SAB-1

**ORDER RE: STATUS
CONFERENCE; REQUESTING
SUPPLEMENTAL BRIEFING**

The Court held a videoconference status hearing in the above-captioned matter on March 30, 2021. The Government was represented by Stephanie Van Marter. Defendant was represented by Geana Van Dessel. Defendant, with his consent, appeared via videoconference from the Benton County Jail.

During the hearing, the Court and the parties discussed the status of this case following the Court's Order on the motion to suppress. The Order only partially addressed the arguments raised in the motion, so the Court and the parties discussed options as to how to resolve the remaining issues in the motion. The Court and the parties also discussed whether this case would be ready to proceed to trial on its currently scheduled trial date. The Court took the parties' arguments and recommendations under advisement. This Order memorializes the Court's rulings.

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**ORDER RE: STATUS CONFERENCE; REQUESTING SUPPLEMENTAL
BRIEFING * 1**

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties shall file briefing on the following questions:

(a) Assuming law enforcement had probable cause to search the vehicle when it was stopped on February 10, 2020, could law enforcement have searched it without a warrant at that point?

(b) If law enforcement could search the vehicle without a warrant, does the Court need to evaluate the reliability of the K9 drug dog evidence, which was subsequently used to get a warrant to search the vehicle?

2. The briefing shall not exceed **ten (10) pages** in length and shall be filed simultaneously no later than **April 14, 2021**.

3. Replies, if necessary, shall be filed simultaneously on **April 19, 2021**.

4. The trial date of May 3, 2021 is **STRICKEN**. The Court will reset a trial date, if necessary, after resolving the pending Motion to Suppress.

5. The pretrial conference set for April 21, 2021, is **STRICKEN**. All pretrial deadlines are also **STRICKEN** and will be reset following the resolution of the Motion to Suppress.

IT IS SO ORDERED. The District Court Executive is hereby directed to enter this Order and furnish copies to counsel.

DATED this 30th day of March 2021.



Stanley A. Bastian

Stanley A. Bastian
Chief United States District Judge